

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>JOHN WECKESSER and</b>	§	
<b>BARBRA WECKESSER</b>	§	<b>PLAINTIFFS</b>
	§	
<b>v.</b>	§	<b>CIVIL ACTION NO. 1:08CV357-LG-RHW</b>
	§	
<b>CHICAGO BRIDGE AND IRON; L.G.</b>	§	
<b>BARCUS AND SONS INC.; A. J.</b>	§	
<b>HOLLOWAY; and CITY OF BILOXI</b>	§	<b>DEFENDANTS</b>

**ORDER DENYING CB&I'S SECOND MOTION FOR SANCTIONS**

**BEFORE THE COURT** is Chicago Bridge and Iron's Second Motion for Sanctions [158]. Upon reviewing the submissions of the parties and the applicable law, the Court finds that the Motion must be denied.

**Discussion**

Chicago Bridge and Iron (CB&I) previously filed a Motion for Sanctions concerning the plaintiffs' attempts to seek default judgments against CB&I and Philip K. Asherman (a CB&I employee who is not a party to this lawsuit). This Court denied that Motion, because the Court found that the plaintiffs' actions were made in good faith and were caused by a misunderstanding of a Court ruling.

In its second Motion for Sanctions, CB&I again describes the default pleadings that this Court has previously held were not sanctionable. CB&I also asserts that the plaintiffs are harassing Asherman by providing him with copies of all of their pleadings in this lawsuit, despite CB&I's request that Asherman no longer be copied on pleadings. In addition, CB&I relies on an unfiled document provided by the plaintiffs that indicates that the plaintiffs will seek permission to name Asherman as an additional defendant to this lawsuit.

The Court finds that CB&I's Second Motion for Sanctions should be denied. The plaintiffs' decision to provide Asherman with copies of pleadings could not possibly cause any harm to Asherman. Furthermore, the plaintiffs have not filed a Motion to Amend their Complaint to name Asherman as a defendant.

**IT IS THEREFORE ORDERED AND ADJUDGED** that Chicago Bridge and Iron's Second Motion for Sanctions [158] is **DENIED**.

**SO ORDERED AND ADJUDGED** this the 21<sup>st</sup> day of January, 2010.

s/ *Louis Guirola, Jr.*  
LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE